

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 10th July, 2024

CALLED FOR DIRECTION:

27. TP/1621/2024) Ms. Jyoti Badgujar, Adv. i/b. S. U. Lakdawala for the
[Original]) Petitioner.
(ECHCBM02030472024))
with)
WILL/609/2024)
) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for the Petitioner. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by the
) Petitioner Diya Naresh Khithani being one
) of the Executrix named under the Will of the
) deceased. Deceased Vidya Girdharilal
) Jagwani alias Vidyabai Girdharilal Jagwani
) alias Vidyaben Girdharilal Jagwani alias
) Vidya Jagwani, said to have died at Mumbai
) on 21.02.2023. Copy of Death Certificate is
) annexed to the Petition. Copy of Aadhaar
) Card of the deceased as ID Proof is annexed
) to the petition.
)
) 2. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased left behind her last
) Will and Testament which was duly
) executed and registered at Mumbai on
) 20.01.2018. The said Will is in English
) language.
)
) 3. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the Parents of the deceased
) predeceased the deceased. said Deceased
) had NO SON, the said Deceased died
)

) leaving behind 7 Daughters. The HUSBAND
) of the Deceased Mr. Girdharilal Jagwani
) died on 27-12-1973, he pre-deceased the
) Deceased. The said Deceased Husband had
) earlier married to Mrs. Rukabai Girdharilal
) Jagwani and he had issues who are step
) children of Deceased as husband pre-
) deceased and deceased died leaving behind
) legal heirs hence, they are not shown as
) heirs of Deceased. Save and except as
) mentioned in para -8, there are no other
) legal heirs and next of kin left by the
) deceased.
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) 4. Petitioner's Oath is filed. The other
) executrix Disha Kishore Khithani has filed
) her affidavit dated 06.02.2024 reserving her
) rights as executrix. Consent Affidavits of six
) daughters of the deceased as mentioned in
) para 8 are on record. Affidavit of Ashok
) Ganeshomal Ahuja, one of the attesting
) witness to the Will is filed. Affidavit of
) service of General Citation is filed. All
) Affidavits are filed online. All other legal
) formalities are complied with. Hence,
) Petition is granted.
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) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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10.07.2024

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**